

REVISION OF EOSR – Supporting Document added

EXECUTIVE OFFICER SUMMARY REPORT
August 13, 2003

ITEM: 12

SUBJECT: Administrative Assessment of Civil Liability with Mandatory Minimum Penalties against the South Orange County Wastewater Authority (SOCWA) for violation of effluent limits established by Order No. 2000-13, for the discharge of treated wastewater to the Pacific Ocean through the San Juan Creek Ocean Outfall. The Regional Board will consider comments received during the public comment period and decide on an order accepting payment of the proposed liability and waiver of hearing. (Tentative Order No. R9-2003-0304) (David Hanson)

PURPOSE: The Regional Board will decide whether to adopt tentative Order No. R9-2003-0304 that accepts the settlement of civil liability in the amount of \$3,000.

PUBLIC NOTICE: On July 4, 2003, a notice was published in the Orange County Register, informing the public of the proposed settlement of ACL Complaint No. R9-2003-251 against SOCWA. Public notification for this item was also provided via the Regional Board Agenda Notice for the August 13, 2003 meeting.

DISCUSSION: On May 30, 2003 the Executive Officer issued Complaint No. R9-2003-0251 for Administrative Civil Liability with Mandatory Minimum Penalties in the amount of \$3,000 against SOCWA for violation of effluent limitations contained in Order No. 2000-13, for the discharge of treated wastewater to the Pacific Ocean through the San Juan Creek Ocean Outfall. This liability was assessed due to an effluent limit exceedance of settleable solids concentration as reported in the Discharger Self-monitoring Report for December 2002. Although the exceedance resulted in several effluent violations, the discharger provided sufficient information to demonstrate that all were due to a single operational upset at the plant. Thus the violations were condensed into one serious violation for which liability was assessed in the amount of \$3,000.

On June 18, 2003, SOCWA waived its right to a public hearing

and paid the \$3,000 civil liability contained in the complaint. If the Regional Board does not adopt the tentative Order, a hearing will be rescheduled for a future Regional Board meeting. To date, no comments concerning this matter have been received.

LEGAL CONCERNS: None.

SUPPORTING
DOCUMENTS:

- (1) Location Map
- (2) Tentative Order No. R9-2003-0304
- (3) Waiver of Hearing Form signed June 18, 2003
- (4) Complaint No. R9-2003-0251
- (5) Errata sheet, adding a finding to Order No. R9-2003-0304 for recovery of staff costs from the State Board**

RECOMMENDATION: The adoption of tentative Order No. R9-2003-0304 **with Errata** is recommended.